

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

PAUL J. SORGI, M.D.
License No. 43-01-104112

Complaint No. 43-20-002870

CONSENT ORDER AND STIPULATION

CONSENT ORDER

An administrative complaint dated January 25, 2021 was filed with the Disciplinary Subcommittee of the Board of Medicine, charging Paul J. Sorgi, M.D. (Respondent) with having violated sections 16221(a), (b)(i), (b)(iii), and (b)(vi) of the Public Health Code, MCL 333.1101 *et seq.*

Based on the administrative complaint and after consultation with the Chairperson of the Board of Medicine, the Department summarily suspended Respondent's license to practice medicine by order dated January 26, 2021.

The parties have stipulated that the Disciplinary Subcommittee may enter this consent order. The Disciplinary Subcommittee has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint. Therefore, the Disciplinary Subcommittee finds that the allegations of fact contained in the complaint are true and that Respondent has violated section 16221(b)(iii) of the Public Health Code.

Accordingly, for these violations, IT IS ORDERED:

The order of summary suspension previously issued is DISSOLVED.

Respondent's license to practice medicine is PERMANENTLY SURRENDERED on the effective date of this order. The license shall not be renewed, reinstated, reissued, or reactivated, limited or otherwise, at any future date, nor shall Respondent apply for or otherwise seek licensure under any other provision of the Public Health Code.

Respondent's controlled substance license is PERMANENTLY SURRENDERED on the effective date of this order. The license shall not be renewed, reinstated, reissued, or reactivated, limited or otherwise, at any future date, nor shall Respondent apply for or otherwise seek licensure under any other provision of the Public Health Code.

Respondent is FINED \$1,000.00 (ONE THOUSAND DOLLARS) to be paid by check, money order, or cashier's check made payable to the State of Michigan (with complaint number 43-20-002870 clearly indicated on the check or money order) and shall be payable within 6 months of the effective date of this order. The timely payment of the fine shall be Respondent's responsibility and failure to comply will constitute a violation of this order. Respondent shall mail the fine to: Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Enforcement Division, Compliance Section, P.O. Box 30189, Lansing, Michigan 48909.

Counts I, II and IV of the complaint, alleging a violation of sections 16221(a), (b)(i), and (b)(vi) of the Public Health Code, are DISMISSED.

Respondent shall direct all communications, except fines, concerning the terms of this Order to: BPL-Monitoring@michigan.gov.

Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.


This order shall not be modified for any cause whatsoever.

If Respondent violates any term or condition set forth in this order, he will be in violation of Mich Admin Code, R 338.1632, and section 16221(h) of the Public Health Code.

This order shall be effective on the date signed by the Chairperson of the Disciplinary Subcommittee or the Disciplinary Subcommittee's authorized representative, as set forth below.

Signed on May 19, 2021

MICHIGAN BOARD OF MEDICINE

By  for
Chairperson, Disciplinary Subcommittee

STIPULATION

The parties stipulate as follows:

1. Respondent does not contest the allegations of fact and law in the complaint. Respondent understands that, by pleading no contest, he does not admit the truth of the allegations but agrees that the Disciplinary Subcommittee may

treat the allegations as true for resolution of the complaint and may enter an order treating the allegations as true.

2. Respondent understands and intends that, by signing this stipulation, he is waiving the right under the Public Health Code, rules promulgated under the Public Health Code, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to require the Department to prove the charges set forth in the complaint by presentation of evidence and legal authority, and to present a defense to the charges before the Disciplinary Subcommittee or its authorized representative. Should the Disciplinary Subcommittee reject the proposed consent order, the parties reserve the right to proceed to hearing.

3. The Disciplinary Subcommittee may enter the above consent order. An attorney from the Licensing and Regulation Division may discuss this matter with the Disciplinary Subcommittee in order to recommend acceptance of this resolution.

4. The parties considered the following factors in reaching this agreement:

- A. Respondent has been licensed since 2013. This is his first disciplinary action.
- B. Respondent wished to resolve this matter expeditiously and without hearing.
- C. The amount of the fine and the length of time to pay it reflect Respondent's statements that he is disabled from advanced Parkinson's disease and has retired from the practice of medicine.

- D. Respondent provided a letter from his treating physician at the Mayo Clinic explaining that a medication prescribed to Respondent (Pramipexole / Mirapex), a dopamine agonist, is known to provoke pathologic compulsive behavior of sexual ideation, and that once he stopped taking the drug, Respondent reported he no longer exhibited aberrant behavior.

By signing this stipulation, the parties confirm that they have read, understand, and agree with the terms of the consent order.

AGREED TO BY:

/s/ Jennifer Fitzgerald
Jennifer Fitzgerald (P60109)
Assistant Attorney General
Attorney for Complainant
Dated: 03/04/21

AGREED TO BY:

Paul J. Sorgi, M.D.
Paul J. Sorgi, M.D.
Respondent

Dated: 3-3-2021

Jonathan C. Martin
Jonathan C. Martin (P37926)
Attorney for Respondent
Dated: 3-4-2021

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

PAUL J. SORGI, M.D.
License No. 43-01-104112

Complaint No. 43-20-002870

ORDER OF SUMMARY SUSPENSION

An administrative complaint has been issued against Respondent under the Public Health Code, MCL 333.1101 *et seq.*, the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, and associated administrative rules.

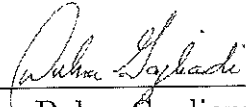
After consideration of the allegations in the administrative complaint filed in this matter and in consultation with the Chairperson of the Board of Medicine, the Department concludes that the public health, safety, or welfare requires emergency action, as allowed by section 16233(5) of the Public Health Code and section 92(2) of the Administrative Procedures Act.

THEREFORE, IT IS ORDERED that Respondent's license to practice Medicine in the state of Michigan shall be summarily suspended commencing on the date this order is served.

Under Mich Admin Code, R 792.10702, Respondent has the right to petition for the dissolution of this order of summary suspension. This petition shall clearly state that it is a Petition for Dissolution of Summary Suspension and shall be filed with the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing by email to LARA-BPL-RegulationSection@michigan.gov, with a copy served upon the Department of Attorney General, Licensing & Regulation Division, P.O. Box 30758, Lansing, Michigan 48909. If unable to submit a petition by email, Respondent may submit by regular mail to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, Michigan 48909, with a copy served upon the Department of Attorney General, Licensing & Regulation Division at the address above. Questions concerning the order of summary suspension may be directed to (517) 335-7569. Upon receipt of such a petition, an administrative hearing will immediately be scheduled before an administrative law judge, who shall dissolve the order of summary suspension unless sufficient evidence is produced to support a finding that the public health,

safety, or welfare requires emergency action and a continuation of the suspension order.

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS

By: 
Debra Gagliardi, Director
Bureau of Professional Licensing

Dated: 01/26/2021

LF: 2020-0308138-A/ Sorgi, Paul MD/ Order for Summary Suspension/2021-01-25

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

PAUL J. SORGI, M.D.
License No. 43-01-104112

Complaint No. 43-20-002870

ADMINISTRATIVE COMPLAINT

Attorney General Dana Nessel, through Assistant Attorney General Jennifer Fitzgerald, on behalf of the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing (Complainant), files this complaint against Paul Sorgi, M.D. (Respondent), alleging upon information and belief as follows:

1. The Board of Medicine, an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.*, is authorized to find that a licensee has violated the Code and impose sanctions through its Disciplinary Subcommittee under the Code.

2. Respondent is currently licensed to practice medicine and holds a controlled substance license pursuant to the Code. At all relevant times, Respondent practiced psychiatric medicine in and around Sault Ste. Marie and Petoskey, Michigan.

ARTICLE 15 PROVISIONS

3. Section 16221(a) of the Code authorizes the Disciplinary Subcommittee to sanction a licensee for a violation of general duty, consisting of negligence or

failure to exercise due care, including negligent delegation to, or supervision of employees or other individuals, whether or not injury results, or any conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully engage in the practice of the health profession.

4. Section 16221(b)(i) of the Code authorizes the Disciplinary Subcommittee to sanction a licensee for personal disqualifications, including incompetence, which is defined in section 16106(1) of the Code to mean a departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for a health profession, whether or not actual injury to an individual occurs.

5. Section 16221(b)(iii) of the Code authorizes the Disciplinary Subcommittee to sanction a licensee for personal disqualifications, including mental or physical inability reasonably related to and adversely affecting the licensee's or registrant's ability to practice in a safe and competent manner.

6. Section 16221(b)(vi) of the Code authorizes the Disciplinary Subcommittee to sanction a licensee for personal disqualifications, including a lack of good moral character, which is defined in MCL 338.41 to mean the propensity on the part of the person to serve the public in the licensed are in a fair, honest and open manner.

7. Section 16226 of the Code authorizes the Disciplinary Subcommittee to impose sanctions against persons licensed by the Board if, after opportunity for a hearing, the Disciplinary Subcommittee determines that a licensee violated one or more of the subdivisions contained in section 16221 of the Code.

8. Section 16233(5) of the Code provides for the summary suspension of a license, reading, in pertinent part, as follows:

After consultation with the chair of the appropriate board or task force or his or her designee, the department may summarily suspend a license or registration if the public health, safety, or welfare requires emergency action in accordance with section 92 of the administrative procedures act of 1969, MCL 24.292.

FACTUAL ALLEGATIONS

Patient 1

9. Respondent treated Patient 1, who lived with his legal guardian, for bipolar disorder and substance abuse from November 2018 until April 2020.

Respondent often treated Patient 1 at Patient 1's home.

10. In the winter of 2018-2019, Respondent had Patient 1 and his guardian to his house for dinner. Respondent's spouse and son attended the dinner.

11. Patient 1's guardian was out of town from February 2-18, 2019. Patient 1 had a drug relapse during this time.

12. While the guardian was out of town and into March of 2019, Respondent took Patient 1 skiing, to dinner, and out for drinks at a bar. Respondent also asked Patient 1 if he would like to have sex with Respondent and Respondent's spouse.

Patient 2

13. Respondent began treating Patient 2 in 2018 when they were co-workers. In 2019, while he was still treating Patient 2, Respondent hired her to

work for him and repeatedly asked her if she wanted to attend a “sex party” with him and his spouse.

Patient 3

14. Patient 3 was a patient of Respondent’s in March of 2019. During this period, he helped her obtain lodging at a hotel. While doing so, Respondent asked Patient 3 if she was interested in having sex with his spouse. A few days later, while Patient 3 and Respondent were having lunch at a restaurant, Respondent again asked Patient 3 if she was interested in having sex with his spouse.

Respondent’s Statements

15. In a written statement dated December 10, 2020, Respondent informed the Department he fully retired from practicing psychiatry on November 1, 2020 and no longer sees patients. However, the Michigan Automated Prescription System (MAPS) indicates Respondent continued to write controlled substance prescriptions for medications used to treat psychiatric conditions after November 1, 2020.

16. Respondent also stated he suffers from advanced Parkinson’s Disease, making it difficult for him to speak and surmised that people misunderstood his speech. Witnesses confirmed Respondent has Parkinson’s Disease and indicated the disease may be affecting his judgment.

COUNT I

17. Respondent’s conduct as described above constitutes a violation of general duty, consisting of negligence or failure to exercise due care, whether or not

injury results, or any conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully engage in the practice of the health profession, in violation of section 16221(a) of the Code.

COUNT II

18. Respondent's conduct as described above constitutes a departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for a health profession, in violation of section 16221(b)(i) of the Code.

COUNT III

19. Respondent's conduct as described above constitutes a personal disqualification of mental or physical inability reasonably related to and adversely affecting his ability to practice in a safe and competent manner in violation of section 16221(b)(iii) of the Code.

COUNT IV

20. Respondent's conduct as described above demonstrates a lack of good moral character in violation of section 16221(b)(vi) of the Code.

FURTHER, Complainant requests that pending the hearing and final determination Respondent's license to practice as a physician in the State of Michigan continue to be summarily suspended pursuant to section 92 of the Administrative Procedures Act of 1969 and section 16233(5) of the Public Health Code for the reason that, based upon the allegations set forth herein, the public health, safety, and welfare requires emergency action.

THEREFORE, Complainant requests that this complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful requirements for retention of the aforesaid licenses. If compliance is not shown, Complainant further requests that formal proceedings be commenced pursuant to the Public Health Code, the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, and associated administrative rules.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, Respondent has 30 days from receipt of this complaint to submit a written response to the allegations contained in it. Pursuant to section 16192(2) of the Code, Respondent is deemed to be in receipt of the complaint 3 days after the date of mailing listed in the attached proof of service. The written response shall be submitted by email to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing to LARA-BPL-RegulationSection@michigan.gov, with a copy mailed to the undersigned assistant attorney general at fitzgeraldj@michigan.gov. If unable to submit a response by email, Respondent may submit by regular mail to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, MI 48909, with a copy mailed to the undersigned assistant attorney general.

Pursuant to section 16231(9) of the Code, failure to submit a written response within the 30 day-period shall be treated as an admission of the allegations contained in the complaint and shall result in transmittal of the complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.

In the event Respondent's license is suspended or revoked, Respondent's controlled substance license shall be automatically void pursuant to section 7311(6) of the Public Health Code.

Respectfully submitted,

DANA NESSEL
Attorney General

/s/ Jennifer Fitzgerald _____
Jennifer Fitzgerald (P60109)
Assistant Attorney General
Licensing & Regulation Division
P.O. Box 30758
Lansing, MI 48909
fitzgeraldj@michigan.gov
Telephone: (517) 335-7196
Fax: (517) 241-1997

Dated: January 25, 2021

LF: 2020-0308138-A/ Sorgi, Paul MD/ Administrative Complaint/ 2021-01-25